

# Notice of Allowability

Application No.

09/686,672

Examiner

Cheryl Lewis

Applicant(s)

SUAREZ ET AL.

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the applicants' communication filed on June 1, 2004.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☒ The drawings filed on 11 October 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All b) ☐ Some\* c) ☐ None of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

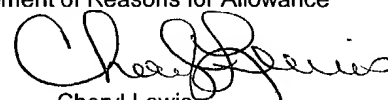
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date \_\_\_\_\_
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

  
GRET A ROBINSON  
PRIMARY EXAMINER

  
Cheryl Lewis  
Patent Examiner

### **DETAILED ACTION**

1. Claims 1-12 are allowed.

### **REASONS FOR ALLOWANCE**

2. The following is an examiner's statement of reasons for allowance:

The prior art, Hoffman et al. (Pat. No. 6,239,700 B1) teaches "Wireless communication system for location of a person and identification of a distress condition of the person comprising portable transceivers (20) carried by persons. In practice, the central dispatch station 80 will interpret an alarm signal generated by portable signaling unit 20 when portable signaling unit 20 fails to receive a periodic signal from remote alarm switch unit 40 as indicated that remote alarm switch 40 is not within the preset location range of portable signaling unit 20." (Abstract, lines 1-3, col. 9, lines 42-47).

The prior art, Dailey (Pat. No. 6,577,874 B1) teaches "A method of receiving digital messages from a mobile terminal at a radio base station of a communications system including a plurality of radio base stations is discussed. This method includes receiving a login message at the radio base station from the mobile terminal wherein the login message includes a caller address number for the mobile terminal and wherein the caller address number comprises a first number of bits." (Abstract, lines 1-8).

Therefore, Hoffman, Dailey, and the prior art of record, do not render obvious to one of ordinary skill in the art at the time of applicant's invention nor anticipate the combination of claimed elements including: "sending an assignment message including

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a location parameter from the dispatch center to the plurality of wireless communication devices, wherein the assignment message is a wireless message transmitted from the dispatch center to the wireless communication device over a radio frequency channel, and further wherein each wireless communication device having a current location; automatically deletes the assignment message when the location parameter does not correspond to the current location of the wireless communication device" as recited in independent claim 1 and similarly recited in independent claim 6.

The remaining claims 2-5 and 7-12 comprise dependent claims, thus these claims are patently distinct over the art of record for at least the above reasons.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### **NAME OF CONTACT**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Cheryl Lewis whose telephone number is (703) 305-8750. The examiner can normally be reached on 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

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(703) 746-5651 (Use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper/amendment be faxed directly to them on occasions.).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.



Cheryl Lewis  
Patent Examiner  
September 14, 2004



ORETA ROBINSON  
PRIMARY EXAMINER